

money or the property that the defendant obtained from the person by the fraudulent practices.

C. In an action brought under this section for fraud or a fraudulent practice in connection with the sale of a security, the Attorney General may seek, for an aggrieved person, the disgorgement of any economic benefit gained by the defendant through the violation, including a bonus, fee, commission, option, proceeds, profit from or loss avoided through the sale of the security, or any other tangible benefit. The Attorney General may recover from an order of disgorgement obtained under this subsection reasonable costs and expenses incurred by the Attorney General in bringing the action.

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2003.

Passed the Senate on April 3, 2003: Yeas 29, Nays 0; the Senate concurred in House amendment on May 6, 2003: Yeas 30, Nays 0; passed the House, with amendment, on May 1, 2003: Yeas 142, Nays 0, one present not voting.

Approved May 20, 2003.

Effective September 1, 2003.

CHAPTER 109

S.B. No. 1094

AN ACT

relating to the creation of a task force to evaluate matters regarding water conservation.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. DEFINITION. In this Act, "task force" means the water conservation implementation task force created under Section 2 of this Act.

SECTION 2. WATER CONSERVATION IMPLEMENTATION TASK FORCE. (a) The Texas Water Development Board shall select members of the water conservation implementation task force to represent the following entities and interest groups from applicants recommended by the following entities and interest groups:

- (1) Texas Commission on Environmental Quality;
- (2) Department of Agriculture;
- (3) Parks and Wildlife Department;
- (4) State Soil and Water Conservation Board;
- (5) Texas Water Development Board;
- (6) regional water planning groups;
- (7) federal agencies;
- (8) municipalities;
- (9) groundwater conservation districts;
- (10) river authorities;
- (11) environmental groups;
- (12) irrigation districts;
- (13) industries;
- (14) institutional water users;
- (15) professional organizations focused on water conservation; and
- (16) higher education.

(b) The executive administrator of the Texas Water Development Board or the administrator's designee is the presiding officer of the task force.

SECTION 3. DUTIES OF TASK FORCE. The task force shall review, evaluate, and recommend optimum levels of water use efficiency and conservation for the state by:

(1) identifying, evaluating, and selecting best management practices for municipal, industrial, and agricultural water uses and evaluating the costs and benefits for the selected best management practices;

(2) evaluating the implementation of water conservation strategies recommended in regional and state water plans;

(3) considering the need to establish and maintain a statewide public awareness program for water conservation;

(4) evaluating the proper role, if any, for state funding of incentive programs that may facilitate the implementation of best management practices and water conservation strategies;

(5) advising the Texas Water Development Board and the Texas Commission on Environmental Quality on:

(A) a standardized methodology for reporting and using per capita water use data;

(B) establishing per capita water use targets and goals, accounting for such local effects as climate and demographics; and

(C) other possible uses as appropriate; and

(6) evaluating the appropriate state oversight and support of any conservation initiatives adopted by the legislature.

SECTION 4. ASSISTANCE OF STATE AGENCIES. The task force may request the assistance of state agencies, departments, or offices to carry out its duties, including necessary staff support.

SECTION 5. PUBLIC MEETINGS. The task force may hold public meetings as needed to fulfill its duties under this Act.

SECTION 6. BEST MANAGEMENT PRACTICES GUIDE; REPORT. Not later than November 1, 2004, the task force shall develop a best management practices guide for use by regional water planning groups and political subdivisions responsible for water delivery service and shall make a final report to the lieutenant governor, the speaker of the house of representatives, and the legislature evaluating the issues described in Section 3 of this Act.

SECTION 7. EXPIRATION OF ACT AND ABOLITION OF TASK FORCE. This Act expires and the task force is abolished on January 1, 2005.

SECTION 8. EFFECTIVE DATE. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2003.

Passed the Senate on April 22, 2003: Yeas 31, Nays 0; passed the House on May 6, 2003: Yeas 143, Nays 0, two present not voting.

Approved May 20, 2003.

Effective September 1, 2003.

CHAPTER 110

S.B. No. 1183

AN ACT

relating to community service programs under the National and Community Service Act of 1990.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subsection (a), Section 302.021, Labor Code, is amended to read as follows: